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Anniston, Alabama  
July 17, 2017

The City Council of the City of Anniston, Alabama, met in Regular Session in the Council Chamber in the City Hall of the City of Anniston, Alabama, on Monday, July 17, 2017, at approximately 5:30 o'clock p.m.

Pastor John Glass, Church of Christ, prayed the Invocation.

Pastor John Glass, Church of Christ, led the Pledge of Allegiance to the Flag.

Mayor Draper called the meeting to order. On call of the roll the following Council Members were found to be present: Council Members Jenkins, Reddick, Little, Harris and Draper; absent: none. A quorum was present and the meeting opened for the transaction of business.

Kent Davis, City Manager, was present.

Bruce Downey, City Attorney, was present.

Council Member Reddick made a motion to waive the reading of the minutes of June 19, 2017. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Little, Harris and Draper; nays: none. The motion carried.

Council Member Harris made a motion to approve the minutes of June 19, 2017. The motion was seconded by Council Member Jenkins; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Little, Harris and Draper; nays: none. The motion carried.

Council Member Harris made a motion to waive the reading of the minutes of June 26, 2017. The motion was seconded by Council Member Jenkins; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Harris and Draper; nays: none; abstentions: Council Member Little. The motion carried.

Council Member Jenkins made a motion to approve the minutes of June 26, 2017. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Harris and Draper; nays: none; abstentions: Council Member Little. The motion carried.

Council Member Jenkins made a motion to remove from the Consent Agenda resolutions authorizing the submission of a grant under the Certified Local Governments for Fiscal Year 2017 Historic Preservation Fund Program, adopting the 2017 Annual Action Plan and budget for the City of Anniston's Community Development Block Grant Program and the Anniston/Calhoun County HOME Consortium's HOME Program, and to amend the FY2017 budgets for the General Operating Fund, Museum Store Fund, Stormwater Enterprise Fund, three Internal Service Funds, four Governmental Funds, and Museum Operations Funds to adjust for

the differences between the previously amended budgets and presently projected revenues and expenditures in the budgets of the various funds and to adopt the agenda as amended. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Little, Harris and Draper; nays: none. The motion carried.

The City Council recognized the Wiggins Center Track and Field Team.

Joann Pope, 31 Diana Hills Road, addressed the Council and stated she was saddened by the anger and tension surrounding the vote on the Anniston City School Technology Initiative. She stated they should not be promoting anger and discord in the city. She asked the Council to respect each other's reasoning and ideas and to make decisions based on sound economic advice.

Thomas Roberts, 1027 Montvue Road, addressed the Council and stated he would be surprised if the City had the \$600,000.00 over three years available for the Anniston City School Technology Initiative. He stated the school system could apply for E-rate funds. He stated he was concerned about the bid process with the Anniston City School Technology Initiative.

Glen Ray, 3514 Dale Hollow Road, addressed the Council and stated that \$200,000.00 a year to invest in their kids was not too much. He stated they lost more than \$200,000.00 a year in the operation of the City golf courses.

Mimie Bus Coffey, 3000 Cresthill Avenue, addressed the Council and stated she was concerned with the elderly abuse that was occurring at the apartments where she resides. She stated she had been told she could not speak to her elderly neighbor.

Representative Barbara Boyd, 2222 McDaniel Avenue, addressed the Council and stated many people had invested in her during her life. She stated that if the school administration had made mistakes in the past they should not punish the students for those mistakes going forward.

Harold Ray, 905 High Street, addressed the Council and stated that 15 years ago a promise had been made to the students of Anniston for support and asked that they fund the Anniston City School Technology Initiative.

Roy Bennett, 115 East 15<sup>th</sup> Street, addressed the Council and requested that Mayor Draper remove Ann Welch from the Anniston Planning Commission. He stated her actions on the Planning Commission were not in the best interest of the City of Anniston and reflected on her bias. He stated he felt as Chairman of the Planning Commission she had shown a lack of integrity, professionalism and a lack of support for the City of Anniston. He stated she had knowledge of the grease on the planters along Noble Street.

Ralph Bradford addressed the Council and stated he would like information on the administration of the funds raised by stormwater fees. He stated Anniston was the only city in Calhoun County charging stormwater fees. He stated if the citizens do not pay the stormwater fees then a lien can be put against their property. He stated the City should not be taxing churches and educational institutions.

Mayor Draper announced that was the time for the public hearing to hear objections to the proposed abatement of identified nuisances (grass and debris) at the following locations: 7 Blue Mountain Road, 29 W. 28<sup>th</sup> Street, 3013 and 3005 McClellan Boulevard, 1030 W. 17<sup>th</sup> Street, 502 W. 16<sup>th</sup> Street, 2504 Gurnee Avenue, 1620 Marguerite Avenue, 1716 Johnston Drive, 1714 Rocky Hollow Road, 2316 and 2324 Noble Street, 6129 Spruce Avenue, 2219 Moore Avenue, 521 E. 23<sup>rd</sup> Street, 1705 Moore Avenue, 1407 E. 11<sup>th</sup> Street, 1118 E. 10<sup>th</sup> Street, 1530 Brown Avenue and 361 Glade Road East; declared the hearing open and asked if anyone wished to address the Council concerning objections to the proposed abatement of identified nuisances (grass and debris) at said locations.

Paula Winston addressed the Council concerning 2316 Noble Street and stated this property was currently in probate court and stated she would need some extended time to take care of this property.

Mayor Draper asked if anyone else wished to address the Council concerning objections to the proposed abatement of identified nuisances (grass and debris) at said locations.

No one else addressed the Council concerning objections to the proposed abatement of identified nuisances (grass and debris) at said locations.

Mayor Draper declared the public hearing to hear objections to the proposed abatement of identified nuisances (grass and debris) at the following locations: 7 Blue Mountain Road, 29 W. 28<sup>th</sup> Street, 3013 and 3005 McClellan Boulevard, 1030 W. 17<sup>th</sup> Street, 502 W. 16<sup>th</sup> Street, 2504 Gurnee Avenue, 1620 Marguerite Avenue, 1716 Johnston Drive, 1714 Rocky Hollow Road, 2316 and 2324 Noble Street, 6129 Spruce Avenue, 2219 Moore Avenue, 521 E. 23<sup>rd</sup> Street, 1705 Moore Avenue, 1407 E. 11<sup>th</sup> Street, 1118 E. 10<sup>th</sup> Street, 1530 Brown Avenue and 361 Glade Road East; closed.

Council Member Jenkins made a motion to approve the amended Consent Agenda.

Resolution authorizing reimbursements to city officials for expenses incurred while traveling away from the City; Resolution Number 17-R-62

Resolution over-ruling objections to the abatement of identified nuisances. Group 2017-04 Grass & Debris; Resolution Number 17-R-63

Resolution declaring public nuisance Group 2017-05 Grass & Debris; Resolution Number 17-R-64

Resolution accepting donations to purchase furniture for the Atrium at the Longleaf Botanical Gardens facility; Resolution Number 17-R-65

Resolution appointing members to the Parks, Recreation and Beautification Board; Resolution Number 17-R-66

Resolution authorizing the City Manager to execute an Employee Paramedic Certification and Reimbursement Agreement; Resolution Number 17-R-67

Resolution authorizing the City Manager to execute an Agreement with Mosaic Community Planning, LLC; Resolution Number 17-R-68

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Motion that the bid in the total amount of \$30,360.00 by Sunny King Ford for a One Ton Dually 4x4 Super Crew Cab Chassis for the Public Works Department be accepted.

The motion was seconded by Mayor Draper; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Little, Harris and Draper; nays: none. The motion carried.

Kent Davis, City Manager, stated the next ordinance would allow the City to have a Certified Animal Control Officer and would allow the City to establish civil penalties for violations of local animal control laws.

Mayor Draper made a motion for the unanimous consent of the Council to introduce and read by title Ordinance Number 17-O-11. The motion was seconded by Council Member Harris.

Mayor Draper asked if anyone wished to address the Council either in favor of or in opposition to the introduction and reading by title of Ordinance Number 17-O-11.

No one addressed the Council either in favor of or in opposition to the reintroduction and reading by title of Ordinance Number 17-O-11.

On call of the roll on Mayor Draper's motion for the unanimous consent of the Council to introduce and read by title Ordinance Number 17-O-11 and Council Member Harris' second to said motion the following vote was recorded: ayes: Council Members Jenkins, Reddick, Little, Harris and Draper; nays: none. The motion carried.

Unanimous consent of the Council having been granted to introduce and read by title Ordinance Number 17-O-11, Kent Davis, City Manager, introduced and read by title Ordinance Number 17-O-11 as follows:

(17-O-11, Enacting Chapter 4, Article VI of the Code of Ordinances of the City of Anniston; First Reading)

Kent Davis, City Manager, introduced and read Resolution Number 17-R-69 as follows:

(17-R-69, directing the City Manager to formulate a proposed agreement establishing the terms and conditions for the City's financial contribution towards the Anniston City School Technology Initiative)

Council Member Reddick made a motion for the passage and adoption of Resolution Number 17-R-69 as introduced and read. The motion was seconded by Council Member Little.

Council Member Little stated that any business coming into the city is going to look at the technology available at the City School system. He stated this should not be turned into a racial issue because the Anniston School system is majority black but should be a city issue because they want the school children to prosper. He stated that the City's budget was approximately \$35 million and \$200,000.00 to the school system would be a drop in the bucket. He stated he was

ready to look at the budget and help any Council Member improve the citizens of this city's quality of life but first and foremost they needed to put some attention to the education of the children.

Council Member Harris stated that there was no argument the students of Anniston deserve technology comparable to all the schools in this area. She stated the question was with the plan and any public money that was spent must be totally transparent. She stated competitive bidding was imperative. She stated they were also being asked to fund schools in the county and the county had not been approached and asked to contribute to this initiative. She stated there were also questions about the franchise.

Council Member Reddick stated that this was an opportunity to show businesses that Anniston school children had up to date technology like the majority of children in this country. He stated they could make sure that Anniston has an educated work force. He stated they did not have to bid to give this money to a non-profit organization. He stated they wanted everyone to understand that they would do whatever it takes for the education of these children. He stated this was a good chance to clarify that they would help the school system.

Council Member Jenkins stated when they passed the previous resolution they had changed the word "would" to "could" because there were a number of questions concerning the bidding process, the scope of work, have the teachers been trained and is it able to be implemented. He stated they needed a trained staff ready to implement this technology. He stated the children deserve this technology. He stated as stewards of the taxpayer's money they have to know this is being done the right way. He stated these questions still remain unanswered for him. He stated he was supportive of the previously passed resolution.

Mayor Draper stated it was not proper to vote on this initiative before their budget discussions. He stated they were being asked to commit funds two and three years from now. He stated if the City were buying a large number of computer devices then that purchase would be subject to the competitive bid law. He stated he did not think the City could commit funds to a project such as this without the bid law being complied with. He stated there are two internet service providers currently paying a franchise fee to the City and the owner of the network for this project has not agreed to pay a franchise fee. He stated he is comfortable with the previous resolution. He stated they could look more closely at this initiative during the budget discussions.

On call of the roll on Council Member Reddick's motion for the passage and adoption of Resolution Number 17-R-69 as introduced and read and Council Member Little's second to said motion the following vote was recorded: ayes: Council Members Reddick and Little; nays: Council Members Jenkins, Harris and Draper. The motion failed.

Representative Barbara Boyd addressed the Council and stated she votes on a lot of issues for the city of Anniston that she does not quite understand or have all the facts about. She stated going forward would be taking a closer look at everything that comes to her from the City of Anniston. She stated legislation comes to Montgomery concerning Anniston and no one has the respect to call and speak to her about it.

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Kent Davis, City Manager, introduced and read Resolution Number 17-R-70 as follows:

(17-R-70, authorizing the submission of a grant under the Certified Local Governments for FY2017 Historic Preservation Fund Program)

Council Member Jenkins made a motion for the passage and adoption of Resolution Number 17-R-70 as introduced and read. The motion was seconded by Mayor Draper.

Kent Davis, City Manager, stated that the City's matching portion of the project would be \$5,000.00 of in-kind services. He stated this would be an update of the design review guidelines.

Council Member Little stated they could find money for other things besides the school system. He stated he was going to give them a list of firms to contact for this RFP.

On call of the roll on Council Member Jenkins' motion for the passage and adoption of Resolution Number 17-R-70 as introduced and read and Mayor Draper's second to said motion the following vote was recorded: ayes: Council Members Jenkins, Reddick, Little, Harris and Draper; nays: none. The motion carried and Resolution Number 17-R-70 was passed and adopted.

Mayor Draper made a motion for the unanimous consent of the Council to introduce and read by title Resolution Number 17-R-71. The motion was seconded by Council Member Jenkins.

Mayor Draper asked if anyone wished to address the Council either in favor of or in opposition to the introduction and reading by title of Resolution Number 17-R-71.

No one addressed Council either in favor of or in opposition to the introduction and reading by title of Resolution Number 17-R-71.

On call of the roll on Mayor Draper's motion for the unanimous consent of the Council to introduce and read by title Resolution Number 17-R-71 and Council Member Jenkins' second to said motion the following vote was recorded: ayes: Council Members Jenkins, Reddick, Little, Harris and Draper; nays: none. The motion carried.

Unanimous consent of the Council having been granted to introduce and read by title Resolution Number 17-R-71, Kent Davis, City Manager, introduced and read by title Resolution Number 17-R-71 as follows:

(17-R-71, adopting the 2017 Annual Action Plan and budget for the City's CDBG Program and the HOME Consortium's HOME Program)

Council Member Reddick made a motion for the passage and adoption of Resolution Number 17-R-71 as introduced and read by title. The motion was seconded by Mayor Draper.

Council Member Reddick stated it was good to see these funds getting to people living in impacted areas the CDBG money is set aside for.

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Council Member Little stated that next year he wanted to receive a copy of everyone that requests CDBG funding and he wanted to be involved in the decision of who is going to get what money. He stated he did not agree with the HOME Consortium funds spending \$100,000.00 to remodel one house.

On call of the roll on Council Member Reddick's motion for the passage and adoption of Resolution Number 17-R-71 as introduced and read by title and Mayor Draper's second to said motion the following vote was recorded: ayes: Council Members Jenkins, Reddick, Little, Harris and Draper; nays: none. The motion carried and Resolution Number 17-R-71 was passed and adopted.

Kent Davis, City Manager, introduced and read Resolution Number 17-R-72 as follows:

(17-R-72, to amend the FY2017 budgets for the General Operating Fund, Museum Store Fund, Stormwater Enterprise Fund, three Internal Service Funds, four Governmental Funds, and Museum Operations Funds to adjust for the differences between the previously amended budgets and presently projected revenues and expenditures in the budgets of the various funds)

Council Member Jenkins made a motion for the passage and adoption of Resolution Number 17-R-72 as introduced and read. The motion was seconded by Council Member Harris.

Council Member Little stated they have an increase of about \$1.5 million in taxes and it just so happens that they need to spend that same amount in additional funds. He stated there were people out in the city that were hurting. He stated he would present a budget that will increase the school funding by \$800,000.00 to \$1 million per year.

Council Member Reddick stated they move money for what they need to. He stated they are allocating a \$1 million so a couple of 100 people can play golf but they will not reallocate those funds so the kids can get a better education. He stated he needed an itemization of the money from the Industrial Development Board and how it made it to the Downtown Development Authority and where it all went.

On call of the roll on Council Member Jenkins' motion for the passage and adoption of Resolution Number 17-R-72 as introduced and read and Council Member Harris' second to said motion the following vote was recorded: ayes: Council Members Jenkins, Reddick, Harris and Draper; nays: Council Member Little. The motion carried and Resolution Number 17-R-72 was passed and adopted.

Kent Davis, City Manager, stated that he had tendered his resignation as City Manager to Mayor Draper and his last day as City Manager would be August 6, 2017. He stated it had been an honor to serve as City Manager for the City of Anniston.

Mayor Draper thanked Kent Davis for his service to the City of Anniston and stated that Mr. Davis had been a great asset for the City.

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Council Member Harris stated they had been very fortunate to have Mr. Davis serve as City Manager. She thanked Mr. Davis for everything he had done for the City.

Council Member Little wished God speed to Mr. Davis. He stated that the City had given hundreds of thousands of dollars to people and he needed to know if those people had received 1099s from the City and did they report the funds on the ethics forms. He stated an organization was dissolved in 2012 and that organization received \$200,000.00 in 2013. He stated the lack of concern for the school children was a problem. He stated he was concerned for the work force of this community and business development in the city. He stated he was going to work with the educators in the city.

Council Member Reddick congratulated the Wiggins Center Track and Field Team and Carol Bush. He stated Kent Davis had a difficult job as City Manager and he commended him for his efforts. He stated that Southern Ridge should be investigated. He stated they should love taking care of their kids.

Council Member Jenkins stated they would miss Mr. Davis and wished him good luck in his future endeavors. He stated he sat up there every week and listened to baseless accusations of money he or his family had received. He stated he had been brought before the Ethics Commission five times for investigation since he had been on the Council and they had not found one instance of wrongdoing by him. He stated they had given over the last four years \$1.6 million to the school system in excess of the ad valorem tax. He stated in the twelve years prior to that less than \$300,000.00 had been given to the school system by previous City Councils. He stated the school system was not underfunded and needed fiscal responsibility.

Mayor Draper stated that a month ago the Council passed a resolution with a unanimous vote to support the Anniston City School Technology Initiative. He stated they would ultimately vote on this matter in the budget for 2018 and they had not yet received that budget proposal. He stated they cannot vote on the budget for FY 2019 and 2020 which is what this resolution was asking them to do. He stated there were questions about the competitive bidding with this initiative. He stated the city had two internet service providers who had agreements with the City to provide those services and that has not been addressed in this resolution. He thanked Mr. Davis for his service to the City.

There being no further business to come before the meeting at that time Mayor Draper made a motion the meeting be adjourned. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Harris and Draper; nays: Council Member Little. The motion carried and the meeting was adjourned at approximately 7:31 o'clock p.m.